IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 56 OF 1999

IN

NOTICE OF MOTION NO. 3097 OF 1997

IN

SUIT NO. 659 OF 1995

Tejoomal Industries Ltd. .. Appellants

V/s

Nitras Exports Pvt. Ltd. & Anr. .. Respondents

Mr.Anjal Amin i/b B. Amin & Co. for the Appellants.

None for the Respondents.

CORAM : R.M.S. KHANDEPARKAR &
D.G. KARNIK, JJ.

DATE : 11TH APRIL 2007

P.C. :

1. The learned advocate for the Appellants states that the Appellants have taken out Chamber Summons No.504 of 2007 for redeclaration of the plaint in accordance with the provisions of law. He further states that the said proceedings have been taken out in view of what was stated by Shri Mahindra Hassaram Mahtani on behalf of the Appellants in the affidavit in

support of Notice of Motion No.3097 of 1997, and in particular para 6 thereof. In view of the said chamber summons being taken out for redeclaration of the plaint in accordance with the provisions of law, the learned advocate for the Appellants craves leave to withdraw the present appeal at this stage. He further prays that the interim relief granted by the learned Single Judge in Notice of Motion No.571 of 1995 on 22nd February 1995 be continued for some period to enable the Appellants to move before the learned Single Judge for continuation of the said interim relief.

2. The appeal is accordingly allowed to be withdrawn with further direction that the interim relief in Notice of Motion No.571 of 1995 will continue to be in force for a period of 3 weeks. The appeal is accordingly disposed of.

(R.M.S. KHANDEPARKAR, J.)

(D.G. KARNIK, J.)